

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Ann H. Kobayashi, Chair; Joey Manahan, Vice Chair;
Carol Fukunaga, Trevor Ozawa, Kymberly Marcos Pine

Committee Meeting Held
July 22, 2015

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Budget, which considered Resolution 15-205 entitled:

"RESOLUTION APPROVING AN AMENDMENT TO THE RENTAL AGREEMENT FOR AN EXTENSION FOR A MONTH-TO-MONTH TENACY, NOT TO EXCEED TWO YEARS, WITH TENANT, MRS. LEIALOHA "ROCKY" KALUHIWA, FOR A PORTION OF HE'EIA KEA VALLEY PARK, TMK: 4-6-16:PORTION OF 32,"

transmitted by Communication D-536, dated July 15, 2015 from the Department of Budget and Fiscal Services, reports as follows:

The purpose of the Resolution is to approve an amendment to the rental agreement for an extension for a month-to-month tenancy, not to exceed two years, with tenant, Mrs. Leialoha "Rocky" Kaluhiwa, for a portion of He'eia Kea Valley Park, TMK: 4-6-16:Portion of 32.

The Deputy Director of the Department of Budget and Fiscal Services testified in support of the Resolution noting that the Department did a site visit and expressed concerns regarding the condition of the property. The Department will consequently inspect the conditions of the property to ensure the safety of the occupants.

Your Committee requested that the Department provide a schedule of the inspection and to be mindful of the occupants' safety and the maintenance the occupants provide on the property.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON AUG 5 2015

COMMITTEE REPORT NO. 296

REPORT OF THE COMMITTEE ON BUDGET

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Page 2

Your Committee received testimony from three individuals in support of the Resolution and no testimony from any institution, organization, or governmental agency.

Your Committee considered and approved a handcarried proposed CD1 version of the Resolution which makes the following amendments:

- A. Corrects the word "tenacy" to "tenancy" in the title.
- B. Amends the BE IT FINALLY RESOLVED clause to read as follows:

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Director of Budget and Fiscal Services and Mrs. Leialoha "Rocky" Kaluhiwa.

- C. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee on Budget is in accord with the intent and purpose of Resolution 15-205, as amended herein, and recommends its adoption in the form attached hereto as Resolution 15-205, CD1. (Ayes: Kobayashi, Fukunaga, Manahan, Ozawa, Pine – 5; Noes: None.)

Respectfully submitted,



Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON AUG 5 2015

COMMITTEE REPORT NO. 296



RESOLUTION

APPROVING AN AMENDMENT TO THE RENTAL AGREEMENT FOR AN EXTENSION FOR A MONTH-TO-MONTH TENANCY, NOT TO EXCEED TWO YEARS, WITH TENANT, MRS. LEIALOHA "ROCKY" KALUHIWA, FOR A PORTION OF HE'EIA KEA VALLEY PARK, TMK: 4-6-16:PORTION OF 32.

WHEREAS, Section 28-3.1, Revised Ordinances of Honolulu 1990, as amended, ("ROH") provides that the Director of the Department of Budget and Fiscal Services ("Director") may award contracts to lease or rent property on terms, conditions and rentals approved by the Corporation Counsel as to form and legality without calling for public bids when real property and/or improvements thereon have been acquired by the City by eminent domain proceedings, or negotiated purchase or exchange in lieu thereof, and where immediate use of the property acquired is not necessary; and

WHEREAS, said Section 28-3.1, ROH, further provides that the total tenancy under any such lease or rental agreement shall not exceed one year from the effective date of such lease or rental agreement, provided that with the consent of the City Council, a renewal or extension of tenancy beyond such period may be allowed; and

WHEREAS, said Section 28-3.1, ROH, further provides that if the Director of the Department of Budget and Fiscal Services (BFS) determines there are extraordinary circumstances, the Director may recommend, and the City Council by adoption of a single resolution, may approve a continuation of a month-to-month tenancy not to exceed four years; and

WHEREAS, said Section 28-3.1, ROH, further provides that the month-to-month tenancy as approved shall be revocable at the option of the City upon 30 days' written notice to vacate; and

WHEREAS, pursuant to Section 28-3.1, ROH, the Director of BFS has requested the Council's approval for an Amendment to the Rental Agreement to extend the month-to-month tenancy with Mrs. Leialoha "Rocky" Kaluhiwa, for a portion of the City's He'eia Kea Valley Park property (the "Property"), identified as TMK: 4-6-16:32 (por.), as shown in red on the map that is designated as Exhibit A, which is attached hereto and by reference is incorporated herein; and

WHEREAS, the Director of BFS and the Director of Parks and Recreation have determined that there are extraordinary circumstances for the continuation of a month-to-month tenancy, not to exceed two years, with Mrs. Kaluhiwa as there are no



RESOLUTION

immediate uses of the Property by the City and Mrs. Kaluhiwa provides security and serves as a caretaker of the Property; and

WHEREAS, in accordance with Section 28-3.1, ROH, the Director of BFS has requested the Council's approval to amend the Rental Agreement for an extension on a month-to-month tenancy, not to exceed two years, with Mrs. Kaluhiwa, at the above described Property, at a monthly rent of \$600.00; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of BFS be authorized to amend the Rental Agreement to extend the month-to-month tenancy, not to exceed two years, with Mrs. Kaluhiwa, and pursuant to the terms, conditions, and provisions approved by the City's Corporation Counsel as being necessary, advisable, or desirable for such purposes; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Director of Budget and Fiscal Services and Mrs. Leialoha "Rocky" Kaluhiwa.

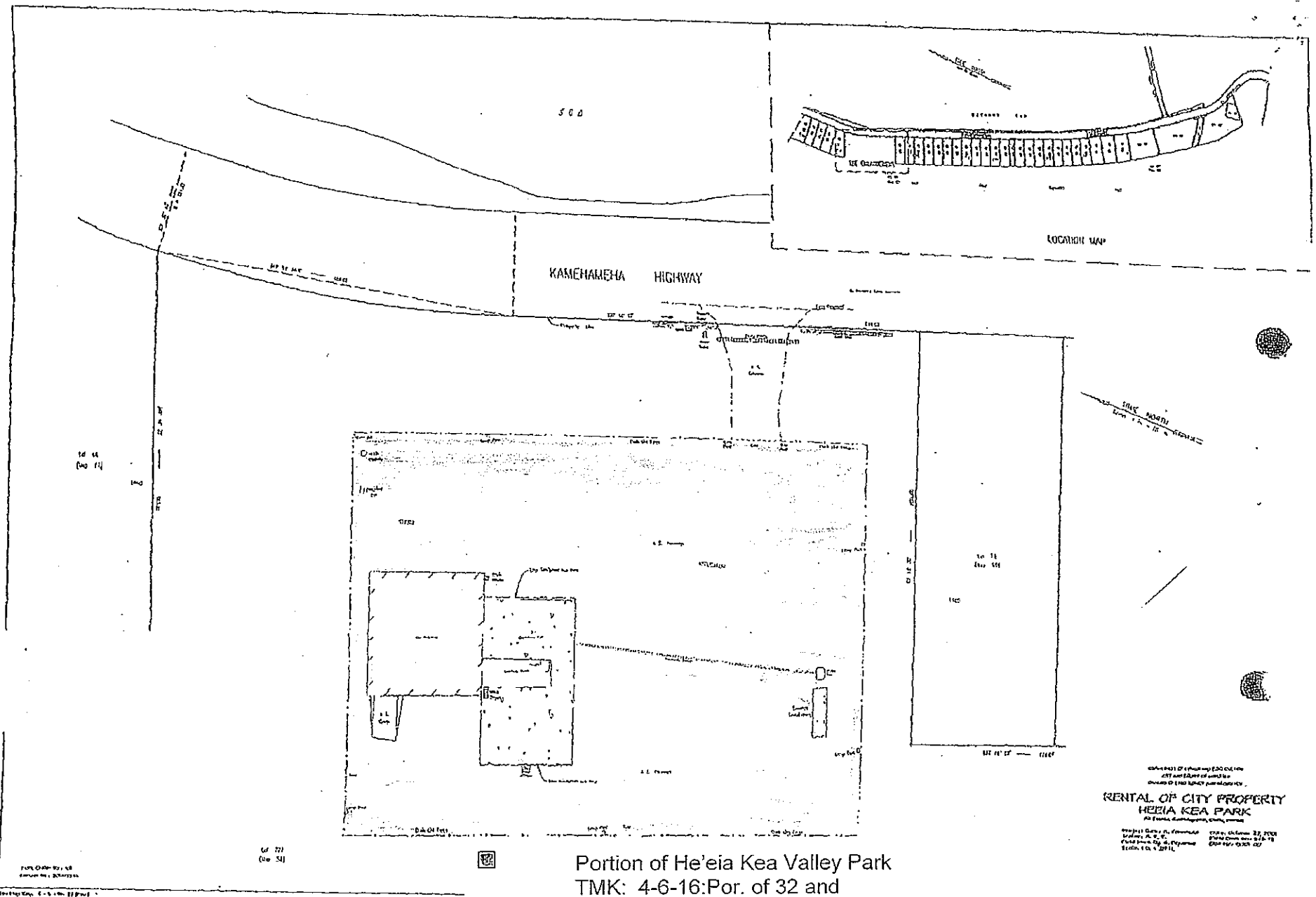
INTRODUCED BY:

Ernest Y. Martin (BR)

Councilmembers

DATE OF INTRODUCTION:

July 16, 2015
Honolulu, Hawaii



Portion of He'eia Kea Valley Park
TMK: 4-6-16:Por. of 32 and
Rental of City Property
to Mrs. Leialoha "Rocky" Kaluhiwa

EXHIBIT A

Res. 07-28